THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K. C. BHANU

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WRIT PETITION NO.5155 OF 2006

Dated: 20.3.2006

Between:

Naga Laxmi, W.o. C.N.S. Nageswar Kumar, H. No. 24-156/9/6, Vimaladevi Nagar, Malkajgiri, Hyderbad-500047.

..... PETITIONER

AND

1.The Station House Officer, Malkajgiri Police Station, Ranga Reddy District and others.

Respondents.

HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
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WRIT PETITION NO.5155 OF 2006

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is taken up on the basis of a telegram dated 10.3.2006 sent by the petitioner seeking to issue directions to the respondents to produce the husband of the petitioner, C.N.S. Nageswar Kumar, who has been kidnapped and illegally detained by the police of Malkajgiri Police Station, Ranga Reddy District. Petitioner apprehends danger to the life of the alleged detenu at the hands of the respondent-authorities and therefore seeks appropriate directions to be issued to the respondents.

A counter affidavit has been filed by the respondents stating that the alleged detenu is not required in connection with any case pending on the file of the Malkajgiri Police Station and as such they denied the allegation of illegal detention of petitioner's husband. However, it is stated that on receipt of notice, they caused enquiries in the matter and found that non-bailable warrants were pending against the alleged detenu in connection with a case in C.C. No. 141/2005 which was registered under Section 138 of the Negotiable Instruments Act on the file of the Judicial First Class Magistrate, Machilipatnam, Krishna

District; that in furtherance of the above said N.B.Ws, Chilakalapudi police have apprehended the alleged detenu on 9.3.2006 duly informing the same to the inmates of the house, including the petitioner. The alleged detenu was produced before the II Additional Judicial First Class Magistrate, Machilipatnam on 10.3.2006 at about 8.00 A.M., who remanded him to judicial custody and the alleged detenu is now lodged in Sub-jail, Machilipatnam.

In view of the averments made in the counter affidavit, no further orders are required to be passed in the writ petition and the writ petition is accordingly dismissed.

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T. Meena Kumari,J

Date: 20.3.2006

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K.C. Bhanu,J

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